

## FRENCH CAPTURE FLANDERS TRENCHES BY BAYONET CHARGES

CLEARY'S DAUGHTER WILL TRY  
ON STAND TO SAVE FATHER  
WHO KILLED BOY HUSBAND

Nine Men Quickly Found to

Hear Case of Boss Who  
Slew Son-in-Law.

JUDGE WARNS JURY.

Cautions Guards to Beware  
as Result of Rumors of  
Political Influence.Special From a Staff Correspondent  
of The Evening World.

NEW CITY, N. Y., Dec. 17.—Nine jurors were sworn to try William V. Cleary for the murder before Justice Morchauer in the Supreme Court here today. The intimations by the relatives of Eugene Newman, Cleary's eighteen-year-old son-in-law, who was shot to death at Haverstraw, July 23, that Cleary would be unduly favored have been freely made because of his political influence, and Justice Morchauer took notice of these rumors in adjourning for lunch. He called before him the two officers selected by District Attorney Gagan and sworn to guard the jury.

"That oath means just what it says," he said sternly. "It means that you are not to let any one speak to these jurors, make appealing gestures to them or make any remarks in their hearing relative in any way to this case. If you hear any such remarks or see any evidence, any intention to influence the jury you are to arrest the person or persons forthwith and have them brought before me."

"Gentlemen of the jury, these remarks are not a reflection on your integrity. They are meant to aid you in giving your undivided judgment to this case to prevent any interference with you and to establish for all time that you have not been interfered with."

GIRL WILL TESTIFY FOR MAN

WHO MADE HER A WIDOW.

Frank Comisky, at adjournment, said that the absence of Mrs. Anna Cleary Newman, daughter of the former town clerk of Haverstraw and widow of Eugene Newman, was not due to a refusal to testify. She arranged last night to be here tomorrow, but this morning because of illness she was unable to appear.

"She will not hesitate to testify for her father," he said. "If there is occasion for her to take the stand, she will do so. She will not be asked to call her a witness."

Justice Morchauer presided over the opening of the trial, which was attended by a large number of spectators. The trial was held in the courtroom of the Supreme Court, which was crowded with people. The trial was held in the courtroom of the Supreme Court, which was crowded with people. The trial was held in the courtroom of the Supreme Court, which was crowded with people.

The principals in this case are more New Yorkers than country folk. But nothing in the atmosphere of court or surroundings has in it a hint that New York is within a thousand miles of EXPECT VERDICT IN THE CASE BEFORE SUNDAY.

The plans of both sides contemplate carrying through the trial with a witness which shall deserve the praise of the taxpayers of Rockland County. District Attorney Gagan said he saw no reason why the jury should not be completed to-day. He prepared a ten-minute opening address to the jury and expects to close for the State before to-morrow night.

With the night sessions Justice Morchauer has announced, those officially connected with the case expect a verdict before Sunday.

Dr. Carlos F. MacDonald, the alienist, has been retained by the State to watch Cleary during the trial and combat any effort of the defense to prove him insane.

The big going on the court house wall was cleared away as soon as Justice Morchauer walked up across the front lawn, flapping his arms and rubbing his eyes. He was on the bench five minutes later.

Frank Eddy of Tuxedo, the first telegrapher called, said that he had gained his knowledge of the tragedy from The Evening World. He said that the Evening World had not undertaken to establish whether or not Cleary was sane, and his mind was never on that point. He was accepted as the first witness.

Mr. Cleary came to the court room half an hour after the selection of jurors began. He seemed twenty years younger than his husband, who is about fifty. She kissed him tenderly and took a seat beside him. Her daughter, the widow of Cleary's victim, did not come to New City from New York with her mother, as she had planned. Her health has been wretched, and she has been on the verge of a nervous breakdown ever since the tragedy.

THREE JURORS CHOSEN. ALL

OF THEM MARRIED MEN.

Louis Ude of Orangetown, delicatessen merchant, was chosen as the second juror. In three-quarters of an hour four talesmen had been examined and two had been sworn. Peter Day of Pearl River, a poultryman, married but childless, was satisfactory to both sides and became juror number three.

The consultation between Cleary and his lawyers as to the acceptance of talesmen always included Mrs. Cleary, and the high blue plume on her velvet toque nodded vigorously as she agreed with the others in the counsel.

Daniel C. Bradley, a farmer of Ramapo, who has three daughters, was accepted by Mr. Comisky, although he is a friend of Mr. Gagan. Charles Faint, a carpenter of Spring Valley, twenty-six years old and unmarried, is juror No. 5. The District Attorney showed some curiosity as to the young man's disposition to make up his mind for himself, but appeared satisfied. A number of talesmen were excused because of prejudices against the death penalty.

Alonso Schofield of Nyack described himself as "a monumental expert and salesman." District Attorney Gagan at once ascertained that this meant the talesman was in the graystone business. He was peremptorily challenged. All talesmen were asked if they knew Robert M. Moore of Manhattan, who is to be associated with the defense. None of them knew him.

David Perry of Suffern, forty-seven years old, a garage owner, married and father of a nineteen-year-old son, was sworn as juror No. 6.

TRUCKMAN AND CARPENTER

CHOSEN FOR THE JURY.

Charles H. Sobel of New City, a truckman, married, with two daughters, was juror No. 7. Though he has been a client of Mr. Gagan, Frank Eddy of Ramapo, a carpenter with two grown sons, was elected as juror No. 8.

Martin Nugent of Suffern, a clerk in the office of J. P. Morgan & Co., was challenged by the defense.

Frank Kelly of Nyack, a farmer, with daughters, took his seat as juror No. 9.

The little main street is clogged with automobiles. Some have come from New York City, where Cleary had many friends among the politicians, notably Michael Delany, big Tom Foley's lieutenant, who is associated with counsel for the defense. The population of the straggling town has been increased ten-fold over night.

Frederick Newman, the father, in his talk immediately after the tragedy, stopped short of a demand for Cleary's electrocution. He intimated that a conviction for second degree murder would appease his thirst for revenge. But as the trial has approached he has hardened against his old friend and neighbor and has even intimated that he was tempted to take personal revenge if the jury did not find Cleary guilty of murder in the first degree.

Frederick Newman would be in the court room during the trial. A story on the front page of his paper yesterday carries the caption, "Cleary Shot to Death at Haverstraw. Rumor of Murder Would Appose His Thirst for Revenge."

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THREE MEN ARRESTED  
IN CONNECTION WITH  
KILLING OF BAFFWHITMAN'S AIDES  
GRILL 4 MEN HELD  
AS BAFF SUSPECTS

(Continued from First Page.)

sudden activity at Headquarters last night followed significant developments in the office of Assistant District Attorney Deuel at about 5 o'clock.

Two prisoners were brought from the Tombs to Deuel's office and questioned by him and Chief Clerk Sayer for half an hour. Immediately thereafter the Assistant District Attorney hurried to Headquarters and went into conference with Inspector Faurot, Carey, of the Homicide Bureau, and Cray, of the First Branch Detective Bureau.

Hardly had that conference been finished when motor cars shot out from Headquarters and the rounding up of the suspects began.

The name of only one of the two Tombs prisoners interviewed by Deuel could be learned to-day. He was Michael Asella, a saloon keeper at No. 337 West Forty-first street, who was committed by Coroner Polenberg to the Tombs on Dec. 4, following the murder of a negro named Jones. His saloon is one of the "hang-outs" of the Hudson Duster gang and has been the scene of many fights between the Hudson Dusters and the Gophers.

Just how much several hours of grilling at Headquarters managed to extract from the four suspects is a matter being carefully concealed to-day.

Through the admission of Inspector Faurot that none of the men implicated any of the others in his statements and that each appeared to have carefully built up an alibi it becomes a matter of safe deduction that in the arrests of these four the detectives were "fishing" and that it was the hope of extracting information from them more than the belief of their ability to fix crimes on them that dictated the arrests.

In all, twelve men were hurried to automobiles to Headquarters following the examination of the four suspects. These early morning visitors were witnesses summoned to check up the stories told by the four on the grill and eye witnesses to the shooting, brought down to identify any of the four men as the actual slayers of Baff.

The most significant developments are expected to come from Koldonie and Switzsky, both of whom describe themselves as Russians. The former is a big, deep-chested youth, white like his companion in small and slender. Both were picked up by detectives on the street.

The quick developments were forecasted in The Evening World's late editions yesterday, as a result of the arrest of James Moore, who had been arrested on a bench warrant charging him with assault, issued by the Court of General Sessions Sept. 11. He was apprehended in the Delaware and Lakawanna freight yards, where most of the "cl" men harry or "pullers," as they are known in the trade, hang out.

Other statistical information given by the papers is that of the organized workers of Germany, who number 161,000, about 31 per cent are now in active military service.

The German Federation of Workers has given over \$1,750,000 for the relief of the unemployed and to assist women and children.

AMSTERDAM, Dec. 17, via London. (Associated Press).—Berlin newspapers reaching here say a majority of the 70,000 residents of Berlin who went to the front have lost their lives.

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RUSSIAN SQUADRON BLOWS UP A  
GERMAN SHIP ON BLACK SEA

(Continued From First Page.)

is now assumed that the Germans escaped and are now probably back at their base. Reports continue that the British fleet suffered some damage, and that members of the crews of one or two vessels were wounded.

The British North Sea fleet patrolled the coast line constantly to-day, while aeroplanes were aloft on the watch for any German ship.

According to the latest reports 75 civilians were killed and 367 wounded in the three cities bombarded by the German fleet.

In addition the War Office estimates the casualties in the Hartlepool fortress as seven soldiers killed and fourteen wounded.

Hartlepool and West Hartlepool were the worst sufferers. The number of dead in the two towns is 55 with 115 wounded. One entire family was wiped out in Hartlepool, the father, mother and six children being killed by a shell that wrecked their home. Six women in all were killed in that city.

A majority of those killed and wounded in Hartlepool were women and children. Fifteen school boys were among those killed. Many of the wounded are not expected to recover. They are suffering from wounds, torn by fragments of shells or badly crushed as a result of being caught beneath demolished houses.

Reports from Scarborough to-day confirm those of yesterday that eighteen persons were killed, including eight women, four children and John Hall, a sixty-year-old Alderman. About 150 persons were wounded. These include eight women and girls.

At Whitby two civilians were killed and two wounded. Deadly anger is the keynote of national sentiment to-day. Despite the fact that warships of the enemy succeeded in threading their way through the mine fields of the North Sea and approaching within a mile of the British coast at some points, there is a firm determination not to permit such isolated raids to interfere with the present plans of the Admiralty and War Office for the disposition of the British naval and land forces.

The British Cabinet to-day met in full session to discuss the raid of German warships upon the English coast yesterday. Premier Asquith, Winston Churchill, First Lord of the Admiralty, and Secretary for War Lord Kitchener were among the first members of the Cabinet to appear for the meeting. All other Ministers were present during the session.

Seamen familiar with the Eastern coast are amazed at the skill of the Germans in piloting their vessels through the mined waters and along the dangerous coast without detection. Even the Admiralty declared a "certain amount of risk" was connected with such a raid, but added that the bombardment of such unprotected ports was not difficult to accomplish and was not of any military significance.

The greatest boom in recruiting since the war began is certain as a result of the German bombardment. Already there has been a rush to the colors. Within two hours after the bombardment of Scarborough forty men from one factory in the city enlisted for service. Throughout the country men began appearing at the recruiting offices even while the British North Sea squadron was still pursuing the German raiders.

The men of Yorkshire are particularly incensed that the historic ruins of the Whitby Abbey should have been fired upon and badly damaged. There are no expressions of fear of another bombardment, but merely intense anger that the totally unprotected city should have been shelled for no apparent reason other than with the hope of striking terror to England.

THOUSANDS WATCH  
WILLIAMSBURG FIRE;  
BIG STORES MENACEDBlaze Causes \$25,000 Damage  
in Heart of the Shopping  
District.

The motorman of a Broadway elevated train passing the big building at Nos. 725-726 Broadway, Williamsburg, at 11:15 o'clock to-day noticed smoke curling from beneath windows on the second floor, styled the Broadway Casino, and used as a dance and entertainment hall. He sounded his whistle until Policeman Turner, of the Vernon Avenue Station, appeared and went in a fire alarm.

When Deputy Fire Chief Maher arrived he turned in a second alarm, which brought Chief Lally and assistants from all the neighboring districts. The fire was in the heart of the Williamsburg shopping district and firemen had difficulty preventing its spreading to neighboring department stores and shops.

Chief Lally had his men fight the blaze from both streets and the roofs of adjacent stores. Reserves from the Hamburg Avenue, Broadway Avenue and Stage Street Stations had to be called to push back thousands of spectators.

The dance hall had been destroyed and the store of Fittiger & Lichman, furriers, and the photograph gallery of Samuel Sobel, beneath it, were gutted. The loss was put at \$25,000.

GERMAN LINER SUNK  
WITH MOST OF CREW  
BY RUSSIAN WARSHIP.

PETROGRAD, Dec. 17, via London. (Associated Press).—It was officially announced to-day the steamer Derwent of the German Levantine Line was found navigating off the Turkish coast near Kerasunt and was sunk by a Russian warship after all on board the merchantman had been ordered to leave.

Only two Turkish officers and twelve sailors obeyed the order and the others went down with the ship. Kerasunt is a report of Asiatic Turkey, seventy miles west of Trebizond on the Black Sea.

SAY MAJORITY OF 70,000  
BERLINERS WHO WENT TO  
FRONT HAVE BEEN SLAIN.

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ANOTHER APPEAL TO  
SAVE FRANK'S LIFELawyers Will Contend That Frank  
Was "Convicted Without  
Due Process of Law."

ATLANTA, Dec. 17.—Further effort to get the United States Supreme Court to review through habeas corpus proceedings Leo Frank's conviction for the murder of Mary Phagan will be made by his attorneys here late to-day, according to their statements.

Frank's attorneys stated they planned to apply to Federal Judge Newman for a writ, basing their petition upon the contention that Frank was convicted without "due process of law" in that he was not present in the courtroom when the verdict was pronounced. The petition, it was stated, would further allege that in excluding him from the courtroom his constitutional rights were violated and that the State courts thereby lost jurisdiction. According to the lawyers, Judge Newman refused to grant a writ. Frank can appeal from his decision to the United States Supreme Court and if the writ is granted the State also can appeal.

REPORT ON ALTMAN ESTATE.

Employees of Store Are Paid Big Bonuses.

The executors of the B. Altman estate filed their final accounting to-day in the Surrogate's Court. One hundred and fifty-one employees of the Altman store have been paid each \$2,500 and 161 have received \$1,000 each bequeathed to them in the late merchant's will. Balance of the estate is \$2,911,848.90. Included in the expenses of administration is \$20,000 on account to Cadwalader, Wickersham & Taft for legal services.

Expended from central in payment of claims against the estate was \$1,641,124.11. The sum of \$2,109,424 has been paid to legatees and heirs. The Altman store stock yielded to the Altman foundation has produced an income of \$19,820.

M'GUIRE PERJURY PROBE.

Brooklyn Prosecutor Reopens Fatal Motor Crash Case.

A Coroner's jury exonerated James F. McGuire, the wealthy Brooklyn young man, who was speeding along Pelham Parkway on Friday, Nov. 13, when his motor car upset at New Rochelle Avenue and killed Miss Elizabeth Dayton of New Rochelle. Martin of the Bronx is not satisfied the truth has been made known. He had ten witnesses before the Grand Jury this afternoon testifying as to the facts preceding the killing.

Among them were the manager and one of the waiters at Woodman's Inn, where the party consumed \$100 worth of refreshments just before the accident. "McGuire has been committed," said Mr. Martin. "and the perjurers are going to hear from it."

USEFUL ADVICE.

(From the Louisville Courier-Journal.)

"Know Thyself" was the old Greek adage.

Good advice. Follow it, my son, and you will not get into any more trouble than you have now.

2 BANKS HELD UP  
BY SAME BANDIT;  
SHOT BY POLICEAfter Wounding Cashier and  
Policeman, Thug Fells  
Fighting Officers.

CINCINNATI, Dec. 17.—Within two hours after a daring daylight bandit had held up and robbed the Provident Savings Bank and Provident Company at Eighth Street and Freeman Avenue and escaped with \$3,000 (this afternoon, the Liberty Banking and Savings Company at Liberty and Freeman Avenue, nearby, was robbed, presumably by the same bandit who got \$2,000 at the latter place.

The second daring holdup occurred while police in autos were searching the city for the perpetrator of the first robbery. In both instances the bandit escaped in a stolen automobile.

The cashier of the Liberty Banking Company was shot and seriously wounded and the cashier of the Provident fired at. The latter escaped the bullets.

After a pistol duel with the policemen, one of whom he wounded, the bandit was captured later, but not until one of the policemen' bullets had found its mark in the desperado's body. Both the policeman and the bandit were moved to a hospital, where the bandit died late to-day.

The bandit, on entering the Provident Savings Bank & Trust Company, fired two shots at Edward Hughes, the cashier, gathered together about \$2,000, jumped into a waiting automobile and escaped.

He dodged bullets fired by the cashier and got a good start on a squad of policemen, who, answering a hurry call, pursued him in a high-powered automobile.

The robbery, entering the bank about an hour after it opened, occurred in eight foot screen into the office and without warning fired two shots at Cashier Hughes. He then seized \$2,000 in currency lying on the cashier's desk, rushed to a table nearby where \$6,000 more was stacked, stuffed it into his pockets and slowly backed to the door.

He then jumped into an automobile in front of the bank and driving the car himself, sped away. Hughes in the mean time had obtained his own revolver. I fired at the retreating machine. None of the shots, either of the bandit or of Hughes, apparently took effect.

The police who responded to the call soon picked up the trail of the bandit's machine and followed it through almost every street in the West End section.

Two hours after the robbery the Liberty Banking and Savings Company at Liberty and Freeman Avenue, ten blocks from the scene of the Provident Bank, was entered by a man who is supposed to be the same automobile bandit. George Winters, cashier of the Liberty Bank, was shot by the bandit and probably seriously injured. The bandit again escaped in an automobile driven by himself, but was later cornered by the police.

The bandit had rented a room yesterday in a West Ninth Street apartment house, and the owner of the apartment, having read a description of the police to the similarity, called the police to the apartment. The bandit was shot by the police and was killed.

Policeman Knaut fell, wounded, and the bandit, jumping back, fired two shots at him and the other policeman, who was shot in the arm and leg. The bandit was shot in the back and was killed.

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SIT DOWN, EVERYBODY;  
HEDLEY SAYS THERE'S  
SUBWAY SEATS APLENTYHe Probably Meant on the  
Floor of the Brooklyn  
Trains.

"We have increased the subway service to Brooklyn 55 per cent," declared General Manager Frank Hedley of the Interborough Rapid Transit Company to-day. "And there are more seats in the subway trains to Brooklyn than there are passengers."

This statement was made during a hearing before Public Service Commissioner Robert Colgate Wood of complaints against congestion on the Brooklyn subway line.

Continuing, Mr. Hedley added: "The increase in the number of trains was made by the Interborough when the traffic in the subway warranted it. At the present time I think it would be ridiculous to add more trains to the service on the Brooklyn line."

"All trains are run to Brooklyn during the rush. This makes it necessary to transfer passengers at the Bowling Green Station. The train schedule to Brooklyn is such that if more trains were run, it would result in congestion at the Bowling Green Station and likewise cause serious injury to many passengers. I consider it fortunate that no serious accident has ever occurred at this point, because of the forced transfer of passengers on their way to South Ferry during the rush hours. Each ten-car train carries about 1,600 people, and, in my opinion, the present schedule on which the Brooklyn trains are operated is adequate to safely handle the traffic."

It was brought out during the hearing that many who use the subway trains to Brooklyn crowd forward to the front of the train and leave many seats empty in the rear. Steps will be taken to more equally distribute the passengers.

On a very cold day or stormy day, Mr. Hedley said, 200,000 more persons used the subway than on a fine day. The Public Service Commission will "make a study of the situation."

CONDITION CRITICAL.

(From the Cincinnati Enquirer.)

When Father refuses the whisky that the doctor prescribed with the medicine, Mother begins to wonder how she will look in black.